IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 28TH NOVEMBER 2006 / 7TH AGRAHAYANA 1928

WP(C).No. 30399 of 2006(R)

PETITIONER:

JOLLY JACOB, S/O. CHACKO, AGED 52 YRS,
RESIDING AT PANJARAYIL PUTHENPURAYIL HOUSE,
RAMANKARY P.O., ALAPPUZHA.

BY ADV. SRI.P.C.HARIDAS

RESPONDENTS:

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1. DISTRICT COLLECTOR,
ALAPPUZHA.

2. DEPUTY TAHSILDAR (R.R.),
TALUK OFFICE, RAMANKARY, ALAPPUZHA.

3. VILLAGE OFFICER,
RAMANKARY, ALAPPUZHA.

4. VELIYANADU BLOCK PANCHAYATH,
VELIYANADU, REPRESENTED BY ITS SECRETARY.

5. ASSISTANT EXECUTIVE ENGINEER,
BLOCK PANCHAYAT, VELIYANADU.

6. ASSISTANT EXECUTIVE ENGINEER,
POVERTY ALLEVIATION UNIT, ALAPPUZHA.

BY G.P. SRI.MATHEW G.VADAKKAL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE, J.

W.P.(C)NO. 30399 of 2006

Dated this 28th day of November, 2006

JUDGMENT

The learned Government Pleader, Sri.Mathew G. Vadakkel, takes notice on behalf of respondents 1 to 5.

2. The grievance of the petitioner is that due to political rivalry, revenue recovery proceedings are presently initiated for recovery of amounts advanced for execution of the work on the allegation that the work has not been completed. According to the petitioner, he has spent more than the amounts which were actually advanced and, therefore, is not liable to refund any amount.

3. I do not propose to examine the genuineness of the petitioner's claim. Ext.P3 representation has been submitted by the petitioner before the first respondent - District Collector. The District Collector will take up Ext.P3, consider the same in the light of various exhibits, which are produced by the petitioner

before this court and any other relevant materials which the petitioner may produce, hear the petitioner, call for remarks from the concerned respondents and take a correct and just decision on Ext.P3. This the Collector will do at this earliest and at any rate within three months of receiving a copy of this judgment. Till such time, as Ext.P3 is decided by the District Collector all proceedings pursuant to Exts.P1 to P2 will be kept in abeyance.

The writ petition is disposed of as above.

PIUS C.KURIAKOSE
Judge

dpk